

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

**NOTICE OF COFINA'S [FIRST] OMNIBUS OBJECTION (NON-SUBSTANTIVE) TO
[SUBSEQUENTLY AMENDED] CLAIMS**

PLEASE TAKE NOTICE THAT, on [DATE], the Puerto Rico Sales Tax Financing Corporation (“COFINA”), by and through the Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as COFINA’s representative pursuant to section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”),¹ filed COFINA’s [First] Omnibus Objection (Non-Substantive) to [Subsequently Amended] Claims (the “Omnibus Objection”) with the United States District Court for the District of Puerto Rico (the “Court”).² **By the Omnibus Objection, COFINA is seeking to disallow your claim(s)** (each, a “Claim” and collectively, the “Claims”) on the grounds that your Claim(s) is/are [subsequently amended], as explained in the Omnibus Objection, a copy of which is attached to this notice.

THE OMNIBUS OBJECTION SEEKS TO ALTER YOUR RIGHTS. ANY CLAIM THAT IS DISALLOWED WILL BE TREATED AS THOUGH IT WERE NEVER FILED. YOU SHOULD READ THIS NOTICE AND THE OMNIBUS OBJECTION CAREFULLY AND DISCUSS IT WITH YOUR ATTORNEY. IF YOU DO NOT HAVE AN ATTORNEY, YOU MAY WISH TO CONSULT ONE.

IF YOU FAIL TO RESPOND IN ACCORDANCE WITH THIS NOTICE, THE COURT MAY GRANT THE RELIEF DEMANDED BY THE OMNIBUS OBJECTION WITHOUT FURTHER NOTICE OR HEARING.

This Omnibus Objection only applies to the Claim(s) listed on Exhibit A to the Omnibus Objection. No action is required if your claim is not listed on Exhibit A to the Omnibus Objection. Copies of the Omnibus Objection, Claims cited therein, and all other filings in the Title III Cases, are available free online at <https://cases.primeclerk.com/puertorico>. Please contact the Prime Clerk hotline at (844) 822-9231 if you have any questions about the Omnibus Objection.

¹ PROMESA is codified at 48 U.S.C. §§ 2101-2241.

² Capitalized terms used but not defined herein shall have the meanings set forth in the Omnibus Objection.

IMPORTANT NOTICE PURSUANT TO LOCAL RULE 3007-1

Within thirty (30) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this Omnibus Objection has been served, or any other party to the action who objects to the relief sought herein, shall serve and file a Response to this paper with the clerk's office of the United States District Court for the District of Puerto Rico. If no Response is filed within the time allowed herein, the Omnibus Objection will be deemed unopposed and may be granted unless: (1) the requested relief is forbidden by law; (2) the requested relief is against public policy; or (3) in the opinion of the court, the interest of justice requires otherwise. If you file a timely Response, the Court may schedule a hearing.

Critical Information for Claimants Choosing to File a Response

Who is Required to File a Response. Any party who disputes the Omnibus Objection is required to file a Response in accordance with the procedures set forth herein. If a party whose Claim is subject to the Omnibus Objection does not file and serve a Response in compliance with the procedures herein, the Court may grant the Omnibus Objection with respect to such Claim without further notice to the claimant.

Who is NOT Required to File a Response. If you do not oppose the disallowance of your Claim(s), then you do not need to file a written Response to the Omnibus Objection and you do not need to appear at the hearing on the Omnibus Objection (described below). Additionally, the Omnibus Objection only applies to the Claims listed on Exhibit A to the Omnibus Objection, a copy of which is available free online at <https://cases.primeclerk.com/puertorico>. No Response is required if your claim is not listed on Exhibit A to the Omnibus Objection.

Deadline for Filing a Response. Your Response will be deemed timely **only if** it is filed with the Court **and** served by **4:00 pm (Atlantic Standard Time)** within **thirty (30) calendar days** from the date the Omnibus Objection is served (or an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if service was by mail), unless otherwise extended, in writing, by COFINA.

The deadline for filing and serving a Response is 4:00 pm (Atlantic Standard Time) on [Date].

Hearing on the Omnibus Objection. If a Response is properly filed and served in accordance with this notice, a hearing on the Omnibus Objection and the Response will be held at [Time] (Atlantic Standard Time) on [Date], before The Honorable Laura Taylor Swain at the United States District Court for the District of Puerto Rico, 150 Carlos Chardón Street, Federal Building, San Juan, Puerto Rico 00918-1767. If you file a Response to the Omnibus Objection, then you should plan to appear at the hearing on the Omnibus Objection. COFINA, however, reserves the right, on three (3) business days' notice, to adjourn the hearing with respect to the Omnibus Objection and the Response.

THE COURT WILL ONLY CONSIDER YOUR RESPONSE IF YOUR RESPONSE IS FILED AND SERVED BY THE RESPONSE DEADLINE IN ACCORDANCE WITH THE INSTRUCTIONS SET FORTH IN THIS NOTICE.

The Debtors may file a reply to your Response or reply in oral argument at the hearing. In such event, the Debtors are permitted to file their reply no later than seven (7) calendar days before the hearing on the Omnibus Objection and the Response.

What to File with a Response

Your Response to the Omnibus Objection must contain the following information.

- (i) **Contact Information.** The Response must include a **name, address, telephone number, and email address** of either (1) the responding claimant; (2) the claimant's attorney or designated representative to whom the attorneys for COFINA should serve a reply to the Response, if any; or (3) the party with authority to reconcile, settle, or otherwise resolve the Omnibus Objection on the claimant's behalf.
- (ii) **Caption.** The Response must contain a caption stating the name of the Court, the names of the Debtors, the case number, the title of the Omnibus Objection to which the Response is directed, and the proof of claim number(s) related thereto from Prime Clerk (which are listed on Exhibit A to the Omnibus Objection and available free online at <https://cases.primeclerk.com/puertorico>).
- (iii) **Reason(s) for Opposing the Omnibus Objection.** The Response must contain a concise statement setting forth the reasons why the Court should not grant the Omnibus Objection with respect to your Claim, including the factual and legal bases upon which the claimant will rely in opposing the Omnibus Objection.
- (iv) **Supporting Documentation.** To the extent not already included with the proof of claim, the Response should include a copy of any other documentation or other evidence of the Claim, upon which the claimant will rely in opposing the Omnibus Objection; provided, however, that the claimant need not disclose confidential, proprietary, or otherwise protected information in the Response; and provided, further, that the claimant shall disclose to COFINA all information and provide copies of all documents that the claimant believes to be confidential, proprietary, or otherwise protected and upon which the claimant intends to rely in support of its Claim, subject to appropriate confidentiality constraints.

Where and How to File and Serve a Response

Every Response should be filed electronically with the Court on the docket of *In re Commonwealth of Puerto Rico*, Case No. 17 BK 3283-LTS, by registered users of the Court's case filing system in searchable portable document format.

Responses must also be served on the Oversight Board and the Creditors' Committee, in the manner and as defined by the *Order Further Amending Case Management Procedures* [Case No. 17-3283, ECF No. 3804] (the "Case Management Order"), a copy of which is available free online at <https://cases.primeclerk.com/puertorico>. Pursuant to the Case Management Order, service may be achieved on both of these parties by filing a document through the Court's case filing system. A certificate of service should be included with the Response explaining how service was accomplished.

If you have any questions about filing and serving a Response, including questions about the Court's case filing system, please contact the **Prime Clerk hotline** at **(844) 822-9231**.

Reservation of Rights. NOTHING IN THE OMNIBUS OBJECTION OR THIS NOTICE IS OR SHALL BE DEEMED TO CONSTITUTE A WAIVER OF ANY RIGHTS OF COFINA OR ANY OTHER PARTY IN INTEREST IN THE TITLE III CASES TO DISPUTE ANY CLAIMS, ASSERT COUNTERCLAIMS, RIGHTS OF OFFSET OR RECOUPMENT, OR DEFENSES, OBJECT TO CLAIMS (OR OTHER CLAIMS OR CAUSES OF ACTION OF A CLAIMANT) ON ANY GROUNDS NOT PREVIOUSLY RAISED IN AN OBJECTION, UNLESS THE COURT HAS ALLOWED A CLAIM OR ORDERED OTHERWISE, OR SEEK TO ESTIMATE ANY CLAIM AT A LATER DATE. AFFECTED PARTIES WILL BE PROVIDED APPROPRIATE NOTICE THEREOF AT SUCH TIME.

Additional Resources and Who to Contact with Questions

All documents filed in the Title III Cases, including copies of claims filed using CM/ECF, are available free online at <https://cases.primeclerk.com/puertorico>. This website is maintained by Prime Clerk and includes a searchable database to assist with locating documents.

If you require additional information regarding the Omnibus Objection, the status of your Response, your claim, or this notice, please contact the Prime Clerk hotline at **(844) 822-9231** (toll free for U.S. and Puerto Rico) or **(646) 486-7944** (for international callers), available 10:00 a.m. to 7:00 p.m. (Atlantic Standard Time) (Spanish available). Inquiries may also be sent via email to puertoricoinfo@primeclerk.com.